

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Christopher J. BURNS et al.

Application No.: 10/538,499

Filed: December 11, 2003 (Int'l)

For: PYRAZINE-BASED TUBULIN INHIBITORS

Confirmation No.: 7053

Art Unit: 1624

Examiner: Douglas M. Willis

PETITION UNDER 37 C.F.R. § 1.182

MS RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This petition is submitted to request the addition of Xianyong Bu, Harrison Sikanyika and Michael Francis Harte as co-inventors in the above-referenced application.

This application was filed naming, as inventors, Christopher John Burns, Andrew Frederick Wilks, and the above-mentioned Xianyong Bu, Harrison Sikanyika and Michael Francis Harte. A Declaration under 37 C.F.R. § 1.63 executed by all five of these individuals is of record.

In a response filed 24 January 2011 to a final rejection, the undersigned submitted a Petition under 37 C.F.R. § 1.48(b) requesting that the inventorship be changed to delete the names of Bu, Sikanyika and Harte, it being believed at the time the response was made that the invention as then claimed was solely the invention of Burns and Wilks. However, the assignee of the present

application undertook further examination of the circumstances surrounding the invention of the subject matter now claimed and concluded that the subject matter now claimed is properly the invention of Burns, Wilks, Bu, Sikanyika and Harte.

There appears to be no provision in 37 C.F.R. § 1.48 which covers this circumstance. Hence, the present petition is filed.

As there is no formal rule governing this petition, it is unclear to applicants what further information may be required. Applicants respectfully request that should further information or declarations be required, the undersigned be notified.

The petition fee is enclosed.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket No. 415852000800.

Dated: May 16, 2011

Respectfully submitted,

Electronic signature: _____ / Kate H. Murashige /
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